REMARKS

Claims 50-54, 56-63, 65-69 and 72-73 remain in this application, and are not amended by this response.

Claims 50-53, 60-62, 68-69 and 72-23 are rejected under 35 U.S.C. §103(a) as unpatentable over Weinberg et al. (US 6,237,006) in view of Bloomberg (US 5,765,176); Claims 54, 56-58, 63 and 65-67 are rejected under 35 U.S.C. §103(a) over Weinberg, Bloomberg and further in view of Astiz (US 6,035,330); and Claim 59 is rejected under 35 U.S.C. §103(a) as unpatentable over Weinberg, Bloomberg, Astiz, and further in view of Sitka (US 6,330,572). All of these rejections are respectfully traversed.

All of these rejections rely on Weinberg as a principal reference. Weinberg concerns mapping of a Website for use by Webmasters in managing website content. Col. 1:66 – 2:2. Weinberg criticizes prior-art web mapping software for being difficult to navigate and failing to convey needed information. Col. 1:45-60. Weinberg discloses specialized software having certain features to address the perceived deficiencies of existing mapping software for Webmasters. These features are (1) a map generation method providing improved navigation and visualization, including adjustment of node sizes in proportion to the number of outgoing links and a zoom feature (col. 2:27-57); (2) an extensible architecture facilitating plug-in applications (col. 2:58-3:8); (3) displaying Web site usage data on a map (col. 3:9-30); and (4) capturing and mapping dynamically generated Web pages (col. 3:31-63). Weinberg is therefore focused on improving mapping software for Webmasters by providing the enumerated features. This focus cannot be disregarded when considering how and why one of ordinary skill might have been motivated to combine different elements in different ways.

As will be shown in more detail below, Weinberg could not have been combined with the other references to produce the claimed combinations. Furthermore, even if such combinations were theoretically possible, one of ordinary skill would not have been motivated to make them.

Claims 50 And 60 (& All Dependent Claims)

A. Weinberg & Bloomberg Fail To Disclose *Generating Map Information Including Hyperlinks to Maps of Related Pages*

Claims 50 and 60 define generating map information for the target pages and each set of linked related pages, wherein the map information comprises "hyperlinks referencing the target pages." These claims further require the map information to be "configured such that, when the map information is displayed at a remote client as a map of a target page, a user can preview information content of the target page and can select ones of the hyperlinks from the map of the target page to receive map information for corresponding ones of the related pages." Weinberg fails to disclose or suggest providing map information for a page with hyperlinks to map information for related pages.

Instead, Weinberg discloses mapping hyperlinks between Web pages, in which the links are displayed as lines in a zoomable map diagram. Figs. 1-6; col. 9:9-11; col. 10:10-36. The zoomable diagram is configured to provide a more detailed view of related nodes. Col. 10:18-28. Hence, Weinberg teaches using a zooming feature to reveal details of related nodes. In contrast, claims 50 and 60 define hyperlinking to maps of related pages, thus defining an alternative method of completing a similar function. Weinberg also discloses listing URL's of target pages in a split screen mode . See Col. 17:20-27 and Fig. 4. Here again, Weinberg teaches an alternative method of receiving more detail about linked nodes, but fails to disclose including operative hyperlinks to maps of related pages in a map of a target page. Finally, Weinberg teaches that selecting a link may cause the linked Web page to open in a separate Web browser, thereby disclosing nothing more than the ordinary operation of a hyperlink. Col. 10:29-36. Again, Weinberg fails to disclose the recited features.

This deficiency of Weinberg is related to Weinberg's adoption of a fundamentally different approach to web mapping than is defined by claims 50 and 60. Claims 50 and

60 define an easily scaleable method and system for remote access by a general public equipped with nothing more than a Web browser and Internet access. In the language of the claims, this scalability and accessibility is embodied as the feature of hyperlinked Web maps that is currently under discussion. Weinberg's contrasting approach is designed for a much narrower audience, that is, for Webmasters. Col. 1:51-2:2. Weinberg's solution requires clients to install a specialized software application ("Astra") that performs all of the scanning and display functions that Weinberg discloses in one integrated map and application. Col. 7:56-8:16. Not only does Weinberg fail to disclose the claimed feature under discussion, one of ordinary skill would not have been motivated to graft the claimed features onto an implementation of the type Weinberg discloses. Weinberg discloses technology belonging, as it were, to a divergent evolutionary line from what is claimed.

The Office Action has not shown that Weinberg discloses the recited features. The Office Action relies on col. 16:20-67 and 18:20-33, but a disclosure of the recited features is lacking there and everywhere else in Weinberg. At col. 16:20-67, Weinberg discloses the zoomable map implementation performed by a specialized application, in which links are displayed as lines in a star or tree diagram. This merely proves the point made above, that by teaching a zoomable map, Weinberg fails to disclose the recited feature, and in fact teaches an incompatible alternative. For example, Weinberg discloses "the user can perform operations with respect to user-selected URL's, such as display the URL's content with a browser, invoke an editor to modify the URL's content, and display the incoming or outgoing links to/from the URL." Col 16:33-37. Linking to a map of the URL's page is conspicuously absent from this list; Weinberg discloses a zoomable map instead. Likewise, at col. 18:20-33, Weinberg merely discloses the display of URL's as lines in a star diagram. *See also* Fig. 6.

Therefore, contrary to what is stated in the Office Action, Weinberg does not disclose providing map information "configured such that, when the map information is displayed at a remote client as a map of a target page, a user can preview information

content of the target page and can select ones of the hyperlinks from the map of the target page to receive map information for corresponding ones of the related pages." Bloomberg fails to make up for this deficiency of Weinberg. Bloomberg discloses only text "greeking," and Bloomberg is not concerned with mapping a linked Web site or hyperlinked documents. Accordingly, a *prima facie* case under § 103 has not been properly made out against claims 50 and 60. The remaining claims are also allowable, at least as depending from allowable base claims.

B. Weinberg & Bloomberg Fail To Disclose *Automatically Selecting Objects Including A Block Of Text And An Image File From Target Objects*

It was acknowledged in the Office Action that Weinberg fails to teach or suggest "a method in which the icon is a direct representation of the original non-reduced image or that the final map includes a block of text and the reduced sized image." Office Action, page 3, lines 11-13. While it is correct that Weinberg is deficient, this statement does not accurately acknowledge the deficiency. Stated accurately, Weinberg is deficient for failing to disclose the elements of (a) automatically selecting "a block of text from at least one of the target pages or the linked related pages having text" and "an image file from at least one of the target pages or the linked related pages displaying an image;" (b) "generating a reduced-size image from the selected image file;" and (c) "generating map information . . . comprising the block of text, reduced-size image" and other features, as defined by claims 50 and 60.

Elsewhere in the Office Action, it is claimed that Weinberg discloses that "non-hyperlink information objects (images, audio files, video files, etc.) are automatically selected for the mapping process (column 8, lines 32-50 of Weinberg et al.)" Even assuming this were true (which is not conceded), the actual language of claims 50 and 60 is being overlooked. These claims require that the automatically selected objects include *a block of text* and *an image file*. Weinberg does not disclose automatically selecting a block of text and an image file, generating a reduced size image, or

generating map information including the block of text and the reduced size image. Apparently, these deficiencies of Weinberg are not disputed.

Bloomberg does not make up for these deficiencies of Weinberg. Bloomberg merely discloses providing iconic rectangular blocks of illegible "greeked text," as in a thumbnail image, for documents in a database. Col. 5, line 63 — col. 6, line 24. The text itself is not provided; just a graphical representation of text. Fig. 3; col. 11, lines 5-7. If the original text is large enough, for example, heading text, the reduced-size image may be legible, but for normal-size original text, the reduced size image is not legible. Legibility of the image depends on the original text size, and Bloomberg is not concerned about whether or not the image includes readable text. Bloomberg, therefore, does not disclose generating a map *including text for a user to preview information content of a Web page*, as these claims define. Bloomberg is instead concerned with generating an iconic image of a document for document image management applications. Col. 5, line 63 — col. 6, line 11.

Moreover, Bloomberg fails to disclose automatically selecting a block of text or an image. Instead, Bloomberg discloses generating a reduced-size image of an entire document. Fig. 3; col. 10:64-11:8. Thus, Bloomberg does not disclose selecting a block of text *from* a target page, as defined by claims 50 and 60. Likewise, Bloomberg does not disclose selecting an image from a target page.

Failing to disclose every element of independent claims 50 and 60, the combination of Weinberg and Bloomberg fail to establish a *prima facie* case of obviousness. Claims 50 and 60 are therefore patentable. The remaining claims are also patentable, at least as depending from an allowable base claim.

C. One of Ordinary Skill Would Not Have Been Motivated To Combine Weinberg and Bloomberg in the Claimed Manner

As discussed above, even when combined Weinberg and Bloomberg do not disclose or suggest all of the features defined by claims 50 and 60. Bloomberg cannot

be simply grafted onto Weinberg to achieve the claimed combination because there is no element of Weinberg that can be modified using the teachings of Bloomberg to arrive at what is claimed. More particularly, Bloomberg teaches a method of generating a reduced size image, but Weinberg does not include any feature or function that would benefit from an improved reduced-size image. Thus, there would have been no motivation to use the method of Bloomberg in the specialty mapping application disclosed by Weinberg. The reduced-sized images of Bloomberg would have served no useful purpose. The contrary arguments set forth in the Office Action are distorted by hindsight bias and are nothing more than *ex post* reasoning. Neither Weinberg nor Bloomberg contain a teaching or suggestion for such a combination, nor has a valid motivation for making the combination been articulated.

This issue deserves to be examined more closely. It is claimed in the Office Action that a motivation for the combination would have arisen "because it would have provided an easier way to allow users to recognize the full-size image represented by the icons by merely previewing the map." Office Action, page 3, lines 17-21. Weinberg uses icons to represent nodes of star diagrams (*See, e.g.,* Fig. 2), so presumably what is meant by this argument is that one of ordinary skill would have somehow been motivated to replace these icons with reduced-size images of Web pages, a la' Bloomberg. Of course, this reasoning suffers from the immediate fatal defect that even if the combination in the Office Action were made, it would differ from what is claimed. I.e., the claimed combination does not result, as shown under I(A) and (B) above. Yet it is further defective because the stated motivation would not have arisen, indeed, could not have arisen, in the context of Weinberg. What the argument does, albeit improperly and with hindsight bias, is to import a motivation behind the technology of Bloomberg into a context where it would not have been appreciated, nor provided any benefit.

This motivational defect is apparent when the purpose and functioning of Weinberg is examined. As has already been noted, Weinberg proposes a solution for Webmasters enabling improved visualization of the overall architecture of a Web site.

Abstract. In other words, to enable Webmasters to better see the "forest" (the Web site as a whole) without being blinded by the individual "trees" (the Web pages). To this end, Weinberg discloses a zoomable map format. Figs. 1-6; col. 9:9-11; col. 10:10-36; col. 10:18-28; Col. 17:20-27 and Fig. 4 (split screen mode); col. 10:29-36 (browser window). These solutions would have displaced any motivation to make icons using a sophisticated image-reduction method as disclosed by Bloomberg. It would have merely added cost and complexity to Weinberg, without any real benefit.

In the same vein, the applications noted by Bloomberg for its iconic images do not include Web mapping, and instead concern applications in which the uniqueness and recognition of the icon are important. These applications are (1) retrieving text documents from a data base; (2) enhancing the performance of character recognition operations; (3) performing document authentication (4) providing document tokens for document access; and (5) document image management relating to use and distribution of documents. Col. 22:15-28:64. None of these applications are analogous to the Web mapping disclosed by Bloomberg. Nor do the advantages of Bloomberg's iconic images to Bloomberg's applications have any real use or applicability to Web mapping as disclosed by Weinberg.

Therefore, one of ordinary skill would not have been motivated to make the combination described in the Office Action. The motivation described in the Office Action is a tailored, hindsight justification that would not have been present in actuality. Lacking a teaching, suggestion or motivation for the combination, the combination of Weinberg and Bloomberg fail to establish a *prima facie* case of obviousness. Claims 50 and 60 are therefore patentable. The remaining claims are also patentable, at least as depending from an allowable base claim.

Claim 51

Weinberg & Bloomberg Fail To Disclose *Defining Identifiers and Properties For Each Selected Object In The Map Information*

On page 4 of the Office Action, it is argued that Weinberg's use of graphical icons reads on the steps of defining an identifier and a property for each selected map object defined by claim 51. This argument lacks merit. A graphical icon is not an identifier because it is not unique to the object being identified. Weinberg discloses representing different links using the same graphical icon: a line. Col. 2:32-48; fig. 1. Although Weinberg discloses making icons for nodes in different sizes, Weinberg does not disclose defining an identifier for each object.

Examples of object identifiers and how they may be defined are provided in the specification at page 13:3-19. Note that while Weinberg discloses collecting and displaying information that might be used as part of an identifier, for example, a URL, Weinberg does not disclose defining an identifier for the object.

At least for the foregoing reason, Claim 51 is independently allowable.

Claims 68-69

Weinberg & Bloomberg Fail To Disclose *Cooperating With An Application Module Operating On A Client*

Weinberg fails to disclose or suggest "cooperating with an application module operating on a client computer, the application module configured for generating a map page from map information provided by the host," as recited. Instead, Weinberg consistently discloses using a specialty application that scans target pages and reports on the host. *See, e.g.,* col. 7:55-8:15; 1:66-2:26. In Weinberg, the host does not generate and distribute map information, and then dispense the map information to

cooperating clients. Weinberg is designed for Webmaster use, and provides no suggestion or motivation to deliver and dispense information in the claimed manner, with or without using a distributable application. Bloomberg does not make up for this deficiency.

At least for the foregoing reason, claims 68-69 are independently allowable.

Claims 72-73

Weinberg & Bloomberg Fail To Disclose *Automatically Selecting Target Pages From Search Query Results*

Weinberg fails to disclose or suggest "automatically selecting the plurality of target pages for generating map information using predetermined criteria applied to query results," as recited. Instead, Weinberg consistently discloses using a specialty application that scans target pages for a website. *See, e.g.,* col. 7:55-8:15; 1:66-2:26. Weinberg discloses a tool for use by Webmasters to better understand a Web site. As such, the target pages are defined by member ship in the site. Unlike the present application, Weinberg does not suggest using Web maps to summarize and surf query results. Weinberg provides no suggestion or motivation to apply Web maps to search results. This should not be confused with providing a Web map for a site operating a search engine, as Weinberg discloses at 26:33-27:35. There, Weinberg discloses mapping a search result page, but expressly teaches against automatically selecting target pages from query results: "Astra does not automatically scan the children of the dynamically-generated Web page" (meaning the search result page). Col. 27:4-10. Bloomberg does not make up for this deficiency.

At least for the foregoing reason, claims 68-69 are independently allowable.

Claims 54, 57, 63 & 66

Weinberg, Bloomberg & Astiz Fail To Disclose *Serving The Map Page In Response To Selection Of An Associated Identifier*

The deficiencies of Weinberg and Bloomberg with respect to the base claims 50 and 60 are acknowledged, as discussed above in connection with the base claims. The Office Action further acknowledges the deficiencies of Bloomberg and Weinberg with respect to dependent claims 54, 57, 63 and 66. Astiz does not make up for these deficiencies. Astiz is cited for disclosing storing map information in a database, and for use of a mouse to access a web map. Col. 9:31 – 10:50. Astiz fails to disclose or suggest "serving the map page in response to selection of an associated identifier," as defined by claims 54 & 63. Instead, Astiz discloses:

> the map maker 14 generates a map icon which is automatically displayed by browser 12 whenever the user is browsing that web site. A user displays the web site map by clicking for example on that map icon displayed on the browser display screen.

Col. 9:34-38. This map icon, however is an identifier because it is not unique to the map page; it just indicates a general desire to see a map, much like a "print" icon indicates a desire to print the current document. Astiz therefore does not read on claim 54, which requires that a map be served in response to selection of its identifier.

Astiz also discloses:

> [t]o go directly to a map entry such as an HTML page, the user simply selects a map entry, e.g., clicks his mouse while pointing to one of the entries in the displayed navigational web site map. In response, the map viewer 18 and browser 12 retrieve the specified HTML page.

Col. 10:45-49. This differs from what is claimed, because the "map entry" of Astiz does not link to a map of the indicated page. Instead, the map entry links to the page itself, just as an ordinary hyperlink. Astiz therefore does not make up for the deficiencies of

Weinberg and Bloomberg in this respect.

Similar considerations apply to claims 57 and 66, which further define operation of a hyperlink as a way to access a map of a related page. This is not disclosed by Astiz. As noted above, Astiz discloses using a hyperlink to access the page itself, but not to access a map of the page. When a page is being viewed, Astiz would provide a map in response to selection of a "map" icon or command. Astiz therefore discloses a fundamentally different scheme for delivering Web maps.

Accordingly, claims 54, 57, 63 and 66 are independently allowable.

* * *

In view of the foregoing, the Applicant respectfully submits that Claims 50-54, 56-63, 65-69 and 72-73 are in condition for allowance. Reconsideration and withdrawal of the rejections is respectfully requested, and a timely Notice of Allowability is solicited. If it would be helpful to placing this application in condition for allowance, the Applicant encourages the Examiner to contact the undersigned counsel and conduct a telephonic interview.

While no fees are believed due in connection with this response, the Commissioner is authorized to charge any fees due, including extension of time fees, to Deposit Account No. 50-3683.

Respectfully submitted,

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